

SUMMARY REPORT DIGEST-  
COMPLAINT REGISTER INVESTIGATION NO.:  
CHICAGO POLICE DEPARTMENT

1014097

DATE OF REPORT (DAY-MO.-YEAR)  
20 May 2008

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED  
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED

TO: SUPERINTENDENT OF POLICE  
ATTENTION ☒ ADMINISTRATOR IN CHARGE, INDEPENDENT POLICE REVIEW AUTHORITY  
☐ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME KUYKENDOLL, Anita				RANK Inv.	STAR NO	SOCIAL SEC. NO XXX-XX-XXXX	EMPLOYEE NO. 2 - Uniq...	UNIT ASSIGN. IPRA	
ADDRESS OF INCIDENT 87... N. Lockwood Ave. Chicago, IL 60651				DATE OF INCIDENT - TIME 11 Feb 08-1200		BEAT OF INCIDENT 1524		LOCATION CODE 7...	
ACCUSED	NAME 1 HUERTAS, Carlos		RANK PO	STAR NO 19394	SOCIAL SEC. NO. XXX-XX-XXXX	EMPLOYEE NO. 2 - Uni...	UNIT ASSIGN. 015		
	2 STOVER, Omar		PO	12178	XXX-XX-XXXX	2 - Uni...	015		
	SEX/RACE 1 M/H	D.O.B. 1 Sept 74	DATE OF APPOINTMENT 27 Jul 98		DUTY STATUS (TIME OF INCIDENT) <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	PHYS. COND. CODE 01	
	2. M/B	1 Sept 71	31 Oct 05		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	01	
IF APPLICABLE - DATE ARRESTED/DETAINED 1.				CHARGES		COURT BRANCH	DISPOSITION & DATE		
2.									
COMPLAINANTS	NAME 2 - Unique id... n. 1 - Perso...		ADDRESS 1 - Personal info		CITY STATE Chicago IL	TELEPHONE 1 - Personal info	SEX/RACE F/B	D.O.B./AGE 1... Jul 70	PHYS. COND. CODE 01
VICTIMS	NAME 1 - Personal ... fsc 1 - Personal Info		ADDRESS** 1 - Personal info		CITY STATE Chicago IL	TELEPHONE 1 - Personal info	SEX/RACE M/B	D.O.B./AGE 1... Jan 93	PHYS. COND. CODE 01
WITNESSES	NAME 1 - Personal ... al 1 - P...		ADDRESS** 1 - Personal info		CITY STATE Chicago IL 60651	TELEPHONE n/a	SEX/RACE M/B	D.O.B./AGE	PHYS. COND. CODE

[ ] SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES

ALLEGATIONS  
The complainant, 1 - Perso... o 1 - Pers... who did not witness the incident, logged a complaint with IPRA investigator Brian Killen on 11 Feb 08. It is alleged that on 11 Feb 08 at approximately 1200 hours PO Omar Stover (1) shoved her son 1 - Personal info 1 - Pers... against the wall, (2) punched him about his body; (3) pushed him to the ground; and 4) stood on his legs. It is further alleged that PO Carlos Huertas (4) pulled him down the stairs by his hood (5) shoved him causing him to strike his head against a wall.

I.A.D. LOCATION CODES\*

01 Food Sales/Restaurant  
02 Tavern/Liquor Store  
03 Other Business Establishment  
04 Police Building  
05 Lockup Facility  
06 Police Maintenance Facility  
07 CPD Automotive Pound Facility  
08 Other Police Property  
09 Police Communications System  
10 Court Room

11 Public Transportation Veh /Facility  
12 Park District Property  
13 Airport  
14 Public Property - Other  
15 Other Private Premise  
16 Expressway/Interstate System  
17 Public Way - Other  
18 Waterway, Incl. Park District  
19 Private Residence

I.A.D. PHYSICAL CONDITION CODES

01 No Visible Injury - Apparently Normal  
02 No Visible Injury - Under Influence  
03 Injured, Not Hospitalized  
04 Injured, Not Hospitalized - Under Influence  
05 Injured, Hospitalized  
06 Injured, Hospitalized - Under Influence  
07 Injured, Refused Medical Aid  
08 Injured, Refused Medical Aid - Under Influence  
09 Deceased  
10 Deceased - Under Influence

\* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

CPD-44.112a (1/84)

C.R. NO

1014097

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegations(s). In sustained cases ONLY, copies of the accused members Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

Investigator Wilson obtained an in person interview with the alleged victim, [1 - Personal info] [1 - Per...], who is a minor on 13 Feb 08. [1 - Pers...] stated that on 11 Feb 08 he was returning home from a nearby store with his cousin, [1 - P...] [1 - Per... nal info] was about 10 steps up when he was approached from behind and grabbed by the back of his jacket by a M/W or M/H PO referred to by others as "Officer Carlos." [1 - Per...] stated that he told the officer to let him go and that he hadn't done anything to which the officer replied by pulling him down the stairs, pushing him forward causing him to strike the right side of his head and chip his tooth. Outside of the apartment "Officer Carlos" and a M/B officer and 2 more M/W or M/H officers rushed towards him and shoved him face first into the wall and causing his tooth to crack. The officers then began to punch [1 - Per...] in the back and sides. [1 - Per...] began yelling out for his [1 - Per 1 - P...] who came to where [1 - Per...] was and was told to leave. [1 - Per...] was handcuffed and transported to the 015<sup>th</sup> District. [1 - Per...] stated that there were neighbors who witnessed the incident. He further stated that he saw a dentist for his injuries. (Att. #5).

Investigator Kuykendoll attempted to contact [1 - P...] [1 - Per...] [1 - Personal I...] to take their statement however they did not respond. (Att. # 24, 33). She also attempted to follow up with [1 - Perso...] [1 - Per...] for more information from her son but was also unsuccessful. (Att. # 25).

Arrest reports indicate that [1 - Per...] was arrested on the date and time in question for Soliciting unlawful business and revisiting a police officer. The narrative indicates that [1 - Per...] was arrested after being observed yelling "weed" in an area known for high drug activity. When approached by police, [1 - Perso...] ran in a building along with [1 - Perso...]. When attempting to arrest him, [1 - Per...] became loud and disruptive. (Att. #8). A TRR was prepared relating to the incident. PO Carlos Huertas stated that arrestee attempted to get in his way and block his path while trying to effectuate an arrest and PO had to use emergency handcuffing techniques. (Att. #10). Arrest reports also indicate that [1 - P...] [1 - Perso...] was arrested on the same date as well for soliciting unlawful business and criminal trespass. (Att. #21). Darren Paxton was also arrested during the same incident for trespass, soliciting unlawful business and possession of cannabis. (Att. # 23).

Evidence technician photographs show [1 - Per...] with scratches to his right arm and what appears to be a chipped front tooth. (Att. #'s 13-14). Records from Gentle Dental show that [1 - Perso...] saw the dentist on 12 Feb 2008. The notes indicated [1 - Per...] said he "was hit in mouth by PD 2/11/08". (Att. # 19).

INVESTIGATIVE REPORTS-  
SUPPORTING ALLEGATION  
LIST ATTACHMENT NUMBERS:

6

INVESTIGATIVE REPORTS-  
SUPPORTING ACCUSED MEMBER(S)  
LIST ATTACHMENT NUMBERS:

36, 39

PHYSICAL EVIDENCE  
LIST ATTACHMENT NUMBERS:

13-14, 19

TOTAL NUMBER OF ATTACHMENTS  
SUBMITTED WITH THIS FILE:

41

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for... days (not to exceed 5 days).

#### FINDINGS:

Accused: PO Stover  
Allegations #1-3: Not Sustained

Accused: PO Huertas  
Allegations #4-5: Not Sustained

#### APPROVED:

2 - Unique identifiers

IPRA Supervisor Maria E. Olvera

Report Prepared by Suheily Natal

DATE INITIATED (DATE COMPLAINT WAS  
RECEIVED FOR INVESTIGATION)

11 Feb 08

DATE COMPLETED (DATE OF THIS REPORT)

20 May 08

ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS)

98

Investigator will initiate the Command Channel Review  
for by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

1 - Personal info

IF NECESSARY, USE AN 82 X 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM

**INVESTIGATION (Cont'd)**

PO Stover provided a written report regarding the incident. He alleged that he was working on the date and time in question with PO Huertas. They observed [1 - Pers...] attempting to solicit the sale of illegal cannabis. In attempting to place [1 - Pers...] into custody [1 - Pers...] began to pull away and flee and PO Huertas used reasonable force to place him into custody. He denies at any time shoving, pushing or punching [1 - Pers...] (Att. # 36).

PO Huertas also provided a written report in which he denied all of the allegations. PO Huertas said he used reasonable force to place [1 - Pers...] into custody. (Att. #39).

**CONCLUSION:**

At this time the R/I recommends a finding of Not Sustained for allegations #1-5 against PO Stover and PO Huertas. The statements of the officers contradict the allegations made by [1 - Pers...]. Furthermore, attempts to contact other potential witnesses were not successful. At this time, there is insufficient evidence available to prove or disprove the allegations.

## Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
<a href="#">View</a> 1	FACE SHEET	N/A	-	-	-	KILLEN, BRIAN	FEB-11-2008 18:02	-	-	-
<a href="#">View</a> 2	CONFLICT CERTIFICATION	N/A	-	-	-	OLVERA, MARIA	FEB-15-2008 12:56	-	-	-
<a href="#">View</a> 3	CONFLICT CERTIFICATION	N/A	-	-	-	KUYKENDOLL, ANITA	FEB-19-2008 08:35	-	-	-
<a href="#">View</a> 4	REPORT (OTHER)	N/A	1	Information	YES	KUYKENDOLL, ANITA	FEB-19-2008 09:05	APPROVED -	-	YES
<a href="#">View</a> 5	INTERVIEW-REPORTING PARTY	N/A	2	-	YES	KUYKENDOLL, ANITA	FEB-19-2008 09:05	APPROVED -	-	YES
<a href="#">View</a> 6	REPORT (OTHER)	N/A	1	Consent for Juv. Int.	YES	KUYKENDOLL, ANITA	FEB-19-2008 09:06	APPROVED -	-	YES
<a href="#">View</a> 7	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	-	YES	KUYKENDOLL, ANITA	FEB-19-2008 09:06	APPROVED -	-	YES
<a href="#">View</a> 8	ARREST REPORT	N/A	5	-	NO	KUYKENDOLL, ANITA	FEB-19-2008 09:07	APPROVED -	-	YES
<a href="#">View</a> 9	REPORT (OTHER)	N/A	1	Property Inv. #11216469	NO	KUYKENDOLL, ANITA	FEB-19-2008 09:08	APPROVED -	-	YES
<a href="#">View</a> 10	TACTICAL RESPONSE REPORT (TRR)	N/A	2	-	NO	KUYKENDOLL, ANITA	FEB-19-2008 09:08	APPROVED -	-	YES
<a href="#">View</a> 11	REQUEST FOR PHOTOS	N/A	1	-	NO	KUYKENDOLL, ANITA	MAR-07-2008 09:14	APPROVED -	-	YES
<a href="#">View</a> 12	CRIME SCENE PROCESSING REPORT	N/A	1	-	NO	KUYKENDOLL, ANITA	MAR-07-2008 09:15	APPROVED -	-	YES
<a href="#">View</a> 13	REPORT (OTHER)	N/A	1	Photo Tag	YES	KUYKENDOLL, ANITA	MAR-07-2008 09:16	APPROVED -	-	YES
<a href="#">View</a> 14	PHOTOGRAPH	N/A	1	-	YES	KUYKENDOLL, ANITA	MAR-07-2008 09:16	APPROVED -	-	YES
<a href="#">View</a> 15	PHOTOGRAPH	N/A	1	-	YES	KUYKENDOLL, ANITA	MAR-07-2008 09:17	APPROVED -	-	YES
<a href="#">View</a> 16	PHOTOGRAPH	N/A	1	-	YES	KUYKENDOLL, ANITA	MAR-07-2008 09:17	APPROVED -	-	YES
<a href="#">View</a> 17	PHOTOGRAPH	N/A	1	-	YES	KUYKENDOLL, ANITA	MAR-07-2008 09:17	APPROVED -	-	YES
<a href="#">View</a> 18	REPORT (OTHER)	N/A	1	Domestic Rel. Recpt.	YES	KUYKENDOLL, ANITA	MAR-07-2008 09:18	APPROVED -	-	YES
<a href="#">View</a> 19	MEDICAL RECORDS	N/A	2	-	YES	KUYKENDOLL, ANITA	MAR-07-2008 14:25	APPROVED -	-	YES
<a href="#">View</a> 20	REPORT (OTHER)	N/A	1	Medical Release	YES	KUYKENDOLL, ANITA	MAR-07-2008 14:26	APPROVED -	-	YES
<a href="#">View</a> 21	ARREST REPORT	N/A	5	-	YES	KUYKENDOLL, ANITA	MAR-07-2008 14:26	APPROVED -	-	YES
<a href="#">View</a> 22	GENERAL OFFENSE CASE REPORT	N/A	2	-	YES	KUYKENDOLL, ANITA	MAR-07-2008 14:27	APPROVED -	-	YES
<a href="#">View</a> 23	ARREST REPORT	N/A	5	-	YES	KUYKENDOLL, ANITA	MAR-07-2008 14:27	APPROVED -	-	YES
<a href="#">Letters to f...</a> <a href="#">1-P...1-...</a>						KUYKENDOLL, MAY-14-				

<a href="#">View</a>	24	REPORT (OTHER)	N/A	1	1 - Perso...	YES	ANITA	2008 14:00	APPROVED -	YES
<a href="#">View</a>	25	REPORT (OTHER)	N/A	1	1 - Perso...	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:00	APPROVED -	YES
<a href="#">View</a>	26	REPORT (OTHER)	N/A	1	Personnel Check	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:01	APPROVED -	YES
<a href="#">View</a>	27	REPORT (OTHER)	N/A	1	Personnel Check	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:38	APPROVED -	YES
<a href="#">View</a>	28	REPORT (OTHER)	N/A	1	-	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:15	APPROVED -	YES
<a href="#">View</a>	29	REPORT (OTHER)	N/A	1	personnel check	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:10	APPROVED -	YES
<a href="#">View</a>	30	REPORT (OTHER)	N/A	1	Personnel Check	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:10	APPROVED -	YES
<a href="#">View</a>	31	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	2	-	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:30	APPROVED -	YES
<a href="#">View</a>	32	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	2	-	NO	KUYKENDOLL, ANITA	MAY-14- 2008 14:10	APPROVED -	YES
<a href="#">View</a>	33	REPORT (OTHER)	N/A	1	Dom. Rel. Recpt.	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:18	APPROVED -	YES
<a href="#">View</a>	34	NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)	N/A	1	-	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:18	APPROVED -	YES
<a href="#">View</a>	35	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	-	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:18	APPROVED - DOES NOT APPLY	YES
<a href="#">View</a>	36	ACCUSED REPORT	N/A	1	-	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:19	APPROVED - DOES NOT APPLY	YES
<a href="#">View</a>	37	NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)	N/A	1	-	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:19	APPROVED -	YES
<a href="#">View</a>	38	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	-	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:20	APPROVED -	YES
<a href="#">View</a>	39	ACCUSED REPORT	N/A	1	-	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:20	APPROVED -	YES
<a href="#">View</a>	40	REPORT (OTHER)	N/A	1	Recd. letter stamped "Unclaimed"	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:21	APPROVED -	YES
<a href="#">View</a>	41	INVESTIGATOR CASE LOG	N/A	1	-	YES	KUYKENDOLL, ANITA	MAY-14- 2008 14:21	APPROVED -	YES
<a href="#">View</a>	42	SUMMARY REPORT	N/A	3	-	YES	KUYKENDOLL, ANITA	JUN-02- 2008 11:08	APPROVED -	YES

row(s) 1 - 42 of 42